

# C I T Y   P L A N N I N G   C O M M I S S I O N   M I N U T E S

S E P T E M B E R   1 8 ,   2 0 0 3

The regular meeting of the City Planning Commission convened Thursday, September 18, 2003, at 1:36pm in the City Council Chambers, 333 W. Ocean Boulevard.

**PRESENT: COMMISSIONERS:** Nick Sramek, Charles Greenberg  
Randal Hernandez, Lynn Moyer  
Morton Stuhlbarg, Charles Winn

**CHAIRMAN:** Nick Sramek

**STAFF MEMBERS PRESENT:** Fady Mattar, Director  
Greg Carpenter, Zoning Officer  
Angela Reynolds, Advance Planning  
Carolyn Bihn, Planner V  
Craig Chalfant, Planner II  
Jayme Mekis, Planner IV

**OTHERS PRESENT:** Mike Mais, Deputy City Attorney  
Marcia Gold, Minutes Clerk

## P L E D G E   O F   A L L E G I A N C E

Commissioner Greenberg led the pledge of allegiance.

## M I N U T E S

The minutes of August 7, 2003 were approved on a motion by Commissioner Hernandez, seconded by Commissioner Winn and passed unanimously.

## S W E A R I N G   O F   W I T N E S S E S

## C O N S E N T   C A L E N D A R

At the request of an audience member, Item 1B was removed to the Regular Agenda for discussion.

Items 1A, 1C, 1D, 1E and 1F of the Consent Calendar were approved on a motion by Commissioner Hernandez, seconded by Commissioner Greenberg and passed unanimously.

**1A. Case No. 0307-18 and 9911-12 (Modification), Conditional Use Permit, ND 26-03**

Applicant: James D. Rosenlieb  
Subject Site: 3390 Cherry Avenue, Council Dist. 5  
Description: Request for approval of a Conditional Use Permit and modification to an approved permit for used automobile sales in conjunction with a full-service car wash.

Certified Mitigated Negative Declaration No. 26-03 and approved the Conditional Use Permit and Modification to an approved permit, with conditions.

**1B. Case No. 0306-13, Conditional Use Permit, Site Plan Review, CE 03-120**

Applicant: Harish Visrodia  
Subject Site: 4161 Bellflower Boulevard  
Council District 5  
Description: Conditional Use Permit and Site Plan Review for construction of a 1,658 sq.ft. addition to an existing auto repair building and establishment of a tire repair and installation shop.

Removed to the Regular Agenda.

**1C. Mills Act Historic Property Contract**

Applicant: Cultural Heritage Commission  
Subject Site: 5725 Corso di Napoli, Council Dist. 3  
Description: Mills Act Historic Property Contract of the Crandall/Howard House, a Long Beach Historic Landmark in Naples. Built in 1908.

Recommended that the City Council approve the execution of a Mills Act Historic Property Contract.

**1D. Historic Landmark Designation**

Applicant: Cultural Heritage Commission  
Subject Site: 1612 E. 7<sup>th</sup> Street, Council District 2  
Description: Annie Kinner House, constructed in 1895.

Recommended that the City Council adopt an ordinance designating the Annie Kinner House at 1612 E. 7<sup>th</sup> Street as a Long Beach Historic Landmark.

**1E. Historic Landmark Designation**

Applicant: Cultural Heritage Commission  
Subject Site: 3833 Long Beach Blvd., Council Dist. 7  
Description: The Killingsworth Office, designed in 1955  
by Edward A. Killingsworth, F.A.I.A.

Recommended that the City Council adopt an ordinance designating  
the Killingsworth Office as a Long Beach Historic Landmark.

**1F. Historic Landmark Designation**

Applicant: Cultural Heritage Commission  
Subject Site: 5576 E. Vesuvian Walk, Council District 3  
Description: The Opdahl House, designed in 1957 by Edward  
A. Killingsworth, F.A.I.A.

Recommended that the City Council adopt an ordinance designating  
the Opdahl House as a Long Beach Historic Landmark.

**R E G U L A R A G E N D A**

**1B. Case No. 0306-13, Conditional Use Permit, Site Plan  
Review, CE 03-120**

Applicant: Harish Visrodia  
Subject Site: 4161 Bellflower Boulevard  
Council District 5  
Description: Conditional Use Permit and Site Plan Review  
for construction of a 1,658 sq.ft. addition to an existing  
auto repair building and establishment of a tire repair and  
installation shop.

Craig Chalfant presented the staff report recommending approval  
of the requests, since project construction would include  
upgrading the existing building to significantly improve the  
visual appearance of the subject site, and because conditions of  
approval would ensure tire shop operations would not have an  
adverse effect on surrounding properties.

Pat Brown, 5390 E. 8<sup>th</sup> Street, applicant representative, stated  
that he had met with the dissenting resident to discuss the  
operation, and had moved the tire operation farther away to  
address noise concerns.

In response to a query from Commissioner Greenberg, Mr.  
Carpenter verified that after meeting with the applicant, the

resident had officially given their support to the project, which was entered into the record at the request of Mr. Mais.

Barry Bradfield, 4157 Marber Avenue, Lakewood, nearby resident, expressed fear that the pneumatic tire equipment would create annoying noise and negatively affect his family's quality of life.

Bill Wardlow, 4145 Marber Avenue, nearby resident, said he had the same concerns that noise from the tire operations would disrupt their quality of life.

Mr. Brown said that the tire operation was now more than 170 feet from the two houses in question, with the bay doors facing away from those residences to mitigate noise issues.

In response to another query from Commissioner Greenberg, Mr. Carpenter outlined the decibel levels of the operation, and possible recourses the residents would have if the noise levels violated the conditions of approval.

Commissioner Greenberg expressed sympathy for the residents, but said he was satisfied that standards and mitigation requirements in the conditions of approval would sufficiently address the noise issue.

Commissioner Greenberg then moved to approve the Conditional Use Permit and Site Plan Review, subject to conditions.  
Commissioner Moyer seconded the motion.

Ms. Moyer noted that the site was not conditioned for outside repair, and suggested the nearby residents keep the City informed of any problems on the site.

The question was called, and the motion passed unanimously.

## **C O N T I N U E D    I T E M S**

### **2.    Case No. 0307-10, Conditional Use Permit, ND 13-03**

Applicant:        Bill Ridgeway  
Subject Site:     201 W. Pacific Coast Highway,  
                         Council District 6  
Description:     Request to establish a check-cashing  
                         facility in an existing commercial building.

Jayne Mekis presented the staff report recommending review of the alternative findings and conditions of approval. Ms. Mekis also noted that additional letters of opposition to the facility had been received, including one from the area Councilwoman.

Commissioners Hernandez and Stuhlbarg stated that they would be voting on the item since they had listened via cassette tape to the previous hearing on the subject.

Commissioner Greenberg noted that a key factor in the previous hearing had been the last-minute document citing the operator's success and lack of problems at similar facilities.

Commander Johnson, Long Beach Police Department, stated that he had investigated the applicant's other location and had found no problems, but he cautioned that this type of business typically did generate calls for service. In response to queries from Commissioner Hernandez, Cmdr. Johnson added that typical calls for service included forgery, robbery, loitering and drug activity, and that there were already four similar facilities nearby. He agreed that a security guard would help mitigate many of these problems.

Commissioner Greenberg acknowledged that area residents needed bank-type services, and Cmdr. Johnson agreed that banks had less safety problems overall with check cashing.

Bill Ridgeway, 5633 Sorrento, applicant representative, stated that they were in agreement with all of the conditions of approval and alternative recommendations, but asked that the requirement for the security guard not be made mandatory.

Mike McKnight, 9781 Magnolia, Riverside, 92503, business operator, stated that he would be willing to hire an armed response guard if the Long Beach Police Department felt it would cut down on calls for service. Mr. McKnight reiterated that payday loans made up 90 percent of his business, with check cashing only a small part of it, and that he would be willing to eliminate that aspect if it became problematic.

In response to a query from Commissioner Hernandez, Mr. McKnight outlined security procedures used in all 21 locations to address potential identity theft and cash security. He noted that loitering was never allowed around the other locations, and that guards are available to escort customers to their cars, if requested.

Alan Tolkoﬀ, 2851 Chestnut Ave., member, Wrigley Association, stated that the membership supported the original staff recommendation to deny the application because they felt that other check cashing operations as well as more traditional banking services were already available nearby, and since they felt a security guard would not adequately address potential safety issues. Mr. Tolkoﬀ also acknowledged that the Wrigley Association had turned down a request by the applicant to speak to them about the operation.

Pepper Russell, 3200 Baltic Avenue, expressed opposition to the facility, agreeing that a security guard would not be sufficient, and because there was an over saturation of similar uses in the area.

Mr. Ridgeway noted that his outreach efforts to the Wrigley Association and area business groups had been rebuffed,

Mr. McKnight added that he had collected over one thousand signatures on a petition in support of his business from adjacent neighbors.

Andrew Kincaid, 5275 Pali Way, Central PAC member, added that the proposal had never been brought before his group.

Maria Nordell, 2411 San Francisco Avenue, clarified the Wrigley Association's boundaries.

Commissioner Greenberg said he was conflicted because he understood the applicant's desire to upgrade the industry, yet he also understood the police department's history with check cashing operations. Mr. Greenberg added that he gave more weight to the police testimony than to community input, because the community was opposed to the industry in general. He added that he was sorry to not get more detailed input from police departments in other locations of the operation.

Commissioner Greenberg then moved to sustain the staff recommendation to deny the Conditional Use Permit.

Commissioner Moyer agreed that the applicant's operation was much more professional than normal, but she felt the community wanted a more upscale type of business at that location.

Commissioner Moyer seconded the motion.

Commissioner Winn noted that the location was currently a blighted building that would probably not attract upscale tenants, and that the community needed the valuable services offered by the applicant, especially if most of the adjacent neighbors were in support, as mentioned by Mr. McKnight.

Commissioner Hernandez said he felt that because of the over concentration of similar uses in the area, the detriment of the operation outweighed its potential benefit to the community.

Commissioner Stuhlbarg said he thought the City shouldn't turn down an applicant who handles his business differently than most, and that he would probably be a good corporate citizen. Mr. Stuhlbarg added that he thought a blighted building was a worse blot on the community than a check cashing business.

Chairman Sramek expressed support for the motion, agreeing that there was an over concentration of the use in the area, and since the CPAC wanted to develop the building in a different way.

The question was called, and the motion to deny passed 4-2, with Commissioners Winn and Stuhlbarg dissenting.

## **R E G U L A R     A G E N D A**

### **3.     Case No. 0305-26, Administrative Use Permit, CD 03-107**

Applicant:         Steve Proshak, c/o Circle of Friends  
Appellant:         Pepper Russell, West Long Beach Association  
Subject Site:       2410 Santa Fe Avenue, Council District 7  
Description:       Administrative Use Permit to allow  
                         establishment of an outpatient drug and alcohol counseling  
                         office in a legal, nonconforming commercial building.

Craig Chalfant presented the staff report recommending denial of the appeal since the location was appropriate for this type of counseling office, and because conditions of approval could be incorporated that would provide adequate safeguards against potential noise, loitering and other adverse effects to the surrounding area.

Pepper Russell, appellant, 3200 Baltic Avenue, President West Long Beach Association, stated she objected to the project because it she felt there was already an over saturation of under-utilized, similar uses in the area, and that this one

would be too close to churches and school, and might draw in undesirable youth elements.

Renata Salo, 15303 Ventura Blvd., Circle of Friends representative, said that all clients were transported to and from the facility by van, and that there would be no walk-ins allowed. Ms. Salo added that no food or housing was offered by the facility, so there was no reason for clients to linger outside of their scheduled time. She pointed out that this was a small, low-key facility that accepted clients through State referrals, not advertising; that the operation was only open during the day, and that no prescriptions were issued.

Commissioner Hernandez said it was unfortunate that these types of services were needed, but that they needed to be accommodated.

Tammy Mandel, 715 N. Ridgewood Place, Los Angeles, 90038, administrator, Circle of Friends, added that as a for-profit operation, they are regulated by the State and County, and audited twice a year by these bodies. Ms. Mandel confirmed that the proposed location had been strategically chosen, and would be the closest treatment option available to their Long Beach clients.

John Cross, 2627 Hayes Avenue, current Vice President, West Long Beach Association, said he felt the operation would be detrimental to the overall quality of the life in the area, and that their membership opposed the facility.

John Atkinson, 2865 Adriatic Avenue, area resident, stated he had watched the area decline, and felt that this operation would inhibit the revitalization of Santa Fe Avenue.

Alan Tolkoff, 2851 Chestnut, agreed that the facility was not a good fit for a possible area upgrade.

Ray Pok, Council Aide, Council District 7, 323 West Ocean Blvd., expressed opposition to the operation, citing over saturation of similar services in the council district and potential adverse impacts on the retail and residential elements of the neighborhood. He suggested that since Santa Fe was historically a commercial district, the path of development needed to be determined in the face of inconsistent area zoning.

In response to a query from Commissioner Hernandez, Mr. Pok acknowledged that area revitalization, land use and rezoning



issues were only in the discussion stages at this time. Mr. Hernandez pointed out that a decision had to be made based on existing zoning and land use designations, not undecided future recommendations.

Appellant Russell presented a petition with about 500 signatures in opposition to the project.

Applicant Salo said that if their operation wasn't needed any more in two years, they would be gone, and that she thought the neighborhood did not realize their company had a great deal of expertise and knew how to safely operate this kind of facility within the parameters of strict, protective conditions of approval.

Chairman Sramek added that he knew of six schools in close proximity to the proposed operation.

Commissioner Winn noted that the conditions mandated strict intake methods and allowed for the operation to be shut down if they weren't followed. He acknowledged staff's visit to an existing Circle of Friends facility, and how impressed they were with the security. Mr. Winn added that clients were already in the neighborhood and needed help with rehabilitation.

Commissioner Winn then moved to uphold the decision of the Zoning Administrator; to approve the Administrative Use Permit and to deny the appeal request. Commissioner Moyer seconded the motion.

Commissioner Moyer agreed that the people receiving the valuable services were already in the neighborhood, and that the facility would be a benefit, not a detriment, to the area. Ms. Moyer also said she was impressed by the group's successful track record, and pointed out that they were going to occupy a vacant building, which in itself was a jump start for revitalization.

Commissioner Greenberg added that of all the operations that could go into the location, this would be one of the more benign, taking clients off the streets at least for the time they were in counseling. Mr. Greenberg said that he did not see how allowing this small facility to operate would have any kind of impact on master planning in the area, and he pointed out that this was already a grandfathered, nonconforming use.

Commissioner Greenberg also noted that although the 7<sup>th</sup> District was accommodating more than its fair share of these types of

social services, placement was always problematic in any neighborhood, and he suggested that perhaps a master zoning plan for combining social services and medical uses be examined.

Chairman Sramek stated that in spite of the conditions, he felt that the operation was potentially dangerous and problematic, and he did not agree with staff's findings.

The question was called, and the motion passed 5-1, with Chairman Sramek dissenting.

**4. Case No. 0305-31 and 0004-12 (Modification), Conditional Use Permit, Administrative Use Permit, Standards Variance, Tentative Waived Parcel Map, Site Plan Review, ND 24-03**

Applicant: Milestone Management and  
Doug Smith, Pfeiler and Associates  
Subject Site: 5020 Long Beach Blvd., Council District 8  
Description: Request for approval of a Conditional Use Permit, Administrative Use Permit, Standards Variance, Tentative Waived Parcel Map and Site Plan Review (including a modification to an approved permit) to construct a drug store with pharmacy drive-through lane and off-premises sales of beer and wine.

Carolyn Bihn presented the staff report recommending approval of the project since it would redevelop a vacant and blighted property, but denial of the license for off-premises sales of beer and wine because this is a high crime area and the site is within 500 feet of a school.

Roger Barbossa, Milestone Management, 5020 Long Beach Blvd., applicant, said they were in agreement with all the conditions of approval, but asked that a provision be made to allow them to sell beer and wine if they could acquire an existing license.

John Deats, 3600 Pacific Avenue, expressed support for the staff recommendation, and said they shouldn't be allowed to sell beer and wine even if they do acquire a current license.

Linda Ivers, no address given, agreed that there should be no alcohol sales unless an existing license was taken over, especially since there is already a liquor store across the street. Ms. Ivers suggested that a requirement be added to create a safe path through the landscape berms for school kids.

Ms. Bihn suggested two logical places such paths could be placed to cross over the berms and across the parking lot.

Scott Mangum, Community Planner, North Long Beach, stated that plans for a crossing signal for school children were being developed.

Commissioner Greenberg moved to certify mitigated Negative Declaration No. 24-03; to approve the Administrative Use Permit, Standards Variance, Tentative Waived Parcel Map and Site Plan Review (including a modification to an approved permit), with conditions; and to deny the Conditional Use Permit for off-premises sale of beer and wine. Commissioner Hernandez seconded the motion, which passed 4-0. Commissioners Moyer and Winn had left the meeting.

## **5. PRESENTATION**

Subject Site: Citywide

Description: Presentation of Converta Belle Housing concept and consideration of potential Zoning Amendments

Greg Carpenter introduced Alex Bellehumeur, who presented his concept for the construction of dwellings and condominium structures that could be converted from one unit to two units over time to address housing needs and ownership opportunities.

Mr. Bellehumeur described the concessions that would be necessary in order to make this concept work, including increased density and reduced parking. Due to the lateness of the meeting, it was necessary for Commissioner Stuhlbarg to leave.

Vice Chairman Greenburg made a motion to continue the discussion to the October 2, 2003 meeting, Commissioner Hernandez seconded the motion which passed 4-0. Commissioners Moyer and Stuhlbarg had left the meeting.

## **M A T T E R S   F R O M   T H E   A U D I E N C E**

There were no matters from the audience.

## **M A T T E R S   F R O M   T H E   D E P A R T M E N T   O F P L A N N I N G   A N D   B U I L D I N G**

Mr. Mattar outlined City Council activities.

**M A T T E R S   F R O M   T H E   P L A N N I N G  
C O M M I S S I O N**

There were no matters from the Planning Commission.

**A D J O U R N**

The meeting adjourned at 6:05pm.

Respectfully submitted,

Marcia Gold  
Minutes Clerk